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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

HEATH VINCENT FULKERSON,

Plaintiff

v.

INTERNAL REVENUE SERVICE,  
U.S. SECRET SERVICE,

Defendants

Case No.: 3:20-cv-00239-MMD-WGC

**Report & Recommendation of  
United States Magistrate Judge**

This Report and Recommendation is made to the Honorable Miranda M. Du, United States District Judge. The action was referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and the Local Rules of Practice, LR 1B 1-4.

Plaintiff filed a civil complaint (ECF No. 1-1), but he did not pay the \$400 filing fee, and the complaint was not accompanied by an application to proceed in forma pauperis (IFP). On August 18, 2020, the court issued an order directing the Clerk to send Plaintiff a copy of the instructions and application to proceed IFP for a non-prisoner, and directing Plaintiff that he had 30 days to file his completed IFP application or pay the \$400 filing fee. He was cautioned that a failure to timely do so would result in his action being dismissed. (ECF No. 3.)

To date, Plaintiff has not filed an application to proceed IFP or paid the filing fee. Therefore, it is recommended that this action be **DISMISSED WITHOUT PREJUDICE**, and that the case be **administratively closed**.

Plaintiff should be aware of the following:

1. That he may file, pursuant to 28 U.S.C. § 636(b)(1)(C), specific written objections to this Report and Recommendation within fourteen days of being served with a copy of the Report

1 and Recommendation. These objections should be titled “Objections to Magistrate Judge’s  
2 Report and Recommendation” and should be accompanied by points and authorities for  
3 consideration by the district judge.

4 2. That this Report and Recommendation is not an appealable order and that any notice of  
5 appeal pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure should not be filed  
6 until entry of judgment by the district court.

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8 Dated: October 7, 2020

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William G. Cobb  
United States Magistrate Judge  
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